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May 29, 2024

**Via PACER**

The Hon. Philip M. Halpern  
United States District Court  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601-4150

Re: P.F. v Y.F.  
24-CV-02333 (PMH)

Dear Honorable Judge Halpern,

My office represents the Respondent/Father in a family court matter concerning the subject children pending in Rockland Family Court (File No.: 42103). This letter is in response to the purported Notice Pursuant to FRCP 65B for emergency relief filed by Attorney for the Petitioner yesterday, May 28, 2024, who plans to move this Court today at 10:00 a.m.

It is respectfully submitted that this "Notice" is insufficient as a matter of law and does not afford the Respondent sufficient time to be heard on the matter. Same was not sent to me, but rather only to a paralegal's email address at 5:26 p.m. yesterday which email is not monitored outside of normal business hours. I was given coincidental notification of the email by the Attorney for the Children, Nicole Greenwald, Esq., later at approximately 8:00 p.m.

To the extent Attorney for the Petitioner claims that he gave prior notice to my office on February 15, 2024 of this May 29, 2024 application, I respectfully disagree. A review of the PACER docket indicated that this case was not opened until March of 2024, and an application for May 29, 2024, was never conveyed to me nor my client. Mr. Menachim is aware that this office does not represent the Respondent Father in the Federal Court Action.

In light of the foregoing, we respectfully request that the Court decline to entertain the Motion based on improper notice and afford Respondent, Mr. Felberbaum, the opportunity to be heard and retain counsel to represent him in this federal court matter.

Thank for your consideration of this request.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'R. Ciccone', with a stylized flourish at the end.

Rachel F. Ciccone, Esq.

RC/cs

cc: Menachem White, Esq. (via email)

Jacob Felberbaum (via email)

Nicole Greenwald, Esq., AFC (via email)